



John L. Salomone
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

MAYOR MICHAEL LENARES

**Minutes – Tuesday, June 14, 2011
7:00 p.m.
Council Chambers - Newington Town Hall**

I PLEDGE OF ALLEGIANCE

II ROLL CALL

Councilors Present:

Councilor Banach
Councilor Bottalico
Councilor Casasanta
Councilor Cohen
Councilor Klett
Councilor McBride
Councilor Nagel
Councilor Nasinnyk
Mayor Lenares - absent

Staff Present:

John Salomone, Town Manager
Mary Richard, Council Clerk

III AWARDS AND PROCLAMATIONS

A. Ham Radio National Field Day June 25, 2011 – June 26, 2011
Presented to Mr. Steve Ewald President of Newington Amateur Radio League

PROCLAMATION

WHEREAS, the Town of Newington is the headquarters of ARRL, the National Association for Amateur Radio, and is also the world headquarters of the International Amateur Radio Union; and

WHEREAS, the Town wishes to recognize the contributions of the Newington Amateur Radio League (NARL), a regional ham radio club whose members come from more than 25 surrounding towns, whose volunteers have served Newington faithfully and well on many occasions, most recently at our Memorial Day Parade, and at the Newington Library Race, and

WHEREAS, Newington NARL for presenting an annual "Hamfest" in town that showcases Amateur Radio, electronics, and forums for discussion and learning to visitors from all around our state and region, and

WHEREAS, Newington recognizes the work of the Amateur Radio Emergency Service ® (ARES®) working in concert together with government agencies and public-service organizations in emergencies and preparatory drills, and

WHEREAS, NARL invites visitors to their Ham Radio National Field Day site from 2 P.M. Saturday, June 25, to 2 P.M. Sunday, June 26; an annual overnight encampment on Cedar Mountain using emergency power, in which the Radio Hams test their skills and readiness for an actual emergency,

NOW, THEREFORE, I, Mike Lenares, Mayor of the Town of Newington do hereby declare the June 20 – June 26, 2011, as **HAM RADIO WEEK IN NEWINGTON** and call upon all citizens to pay appropriate tribute to all Ham Radio Operators.

Councilor Cohen said that these trained licensed wireless radio operators who volunteer to serve the community by providing emergency communication in the event of a disaster. National Field Day is an annual event and is an

Phone: (860) 665-8510 Fax: (860) 665-8507
townmanager@newingtonct.gov
www.newingtonct.gov

overnight practice drill on Cedar Mountain off Russell Road on State property North of the Humane Society. The public is invited from Saturday to Sunday, June 25 to June 26, at 2 PM and everyone is invited to come and visit the operation..

Councilor Nasinnyk said that this quite a gem that we have here in Newington with the ARRL and she was aware of other ham radio operators in another State who actually knew of Newington because of the ARRL and she thanked them for the work they do. Councilor Banach said with the cell phones people think we're always in communication but that form of communication can be knocked out whereas the ARRL can remain in service so it is a very valuable system.

Michael Fox, 1901 Main Street – said regarding cell phones and right now a military person in Afghanistan or Iraq all you need is pickup a cell phone. He said that many years ago in 1968 while he served in Viet Nam there was no such thing as cell phones and a lot of his men were upset and wanted to get in touch with people at home. He found out about a system called MARS (Military Affiliates Radio System) and he went to the Signal Corp building and asked to give them his phone number and from there and they contacted the ARRL in Hawaii and were able to contact the ARRL in Newington and this resulted in many others get in touch with their families. He thanked the ARRL for what they do.

MOTION BY: Councilor McBride
SECONDED BY Councilor Bottalico
VOTE 8 -0 Mayor Lenares absent

IV PUBLIC PARTICIPATION

Mr. Rick Spring, 47 Deepwood Drive – said he was happy that the agenda included a discussion on the appraisal for Cedar Mountain He said that he has been a Newington resident for 55 years and have witnessed the growth of our Town first hand. He said his home is at the base of the mountain, and standing at the end of his driveway with an 85 years old neighbor, and talked about what we had taken for granted for so long. Now that Cedar Mountain is almost gone he said he marvels at it's beauty. He said the development of Cedar Mountain will be the last straw. He said that once the mountain has been developed the character of our Town will be changed forever, and he prays that our Town Government has a political role in saving the only undeveloped piece of land left in this Town. Cedar Mountain represents our heritage, and is an important asset and adds to the quality of life both in Newington and Wethersfield. Newington still has that small town charm and we should work together to preserve this valuable resources. He doesn't believe that tax revenues from these developments will cover the expense and he for one would like to see an increase in taxes due to the preservation of open space. He said the benefits of preserving this property clearly outweigh the impact that further development will have on this Town. He urged this Council to employ the State and Federal Government to contact all Council materials, discuss what this means to our Town. He thinks it's time to stop the urban sprawl and it's time to say no to this development. Once this property is preserved he thinks a committee should be formed that would be responsible for maintaining trails, cleaning trash and transporting Cedar Mountain into a path of recreation area that the residents of Newington and Wethersfield can be proud of and he would be happy to volunteer his time to this cause.

Ms. Holly Harlow, 11 Edmund Street – said regarding the Mountain and she thinks as a community we come together to express how much that property is valued but given the circumstances the time is now for us to decide what action we want to take next and she knows when talking purchase we're talking money and sacrifice but we all know that some things are worth the sacrifice, and she said she would be willing to pay in taxes what she would get from having the Mountain preserved. She really hopes that as a governing body and a citizen make a conscious choice to do what we want the Mountain to be. She hopes that the Council will do everything in their influence and scope to that end.

Mr. Ed Horran, 35 Crestview Drive – said that we should look into as a viable tool is eminent domain and as you know its appropriation of land for public use. The law says it can be used for safety, health interests or conveyances and he thinks it meets at least some of these criteria He believes the eminent domain was meant for the common good of the citizens of a Town.

Bernard, Whitewood Road (at the foot of Cedar Mountain) said there have been many many reasons for not developing Cedar Mountain. He said that 1 ½ year ago he gave seven reasons why we should not develop it and somehow they were stopped at that time and with meetings here with three rows of standing room, and they

all gave reasons why they should not develop Cedar Mountain. He said it seems the Council's hand are tied and can't do anything and he for one is willing to give \$500. toward the fund to buy Cedar Mountain.

Gene ,Wethersfield - the sentiment has been to buy this land and keep it as open space. He said that Planning and Zoning passed the buck along to the Council which will decide the fate of this project. With that being said without TPZ falling in line once that property is sold as residential the property value goes sky high so if there is any thought of purchasing that property at this time, this is the time because it can be purchased at a real price not at an over inflated price.

Gary Bolles, 28 Burden Lane - said that at the TPZ meeting of June 8 regarding petition 09-11 for change to residential use that Toll Brothers wants to develop. We were reminded several times that we need to let our feelings be known to you the Town Council, and he is letting you know that he's one of many who does not support either residential or commercial development of this property. He said that once this natural wonder is gone it's gone forever. He said who will suffer the consequences, we Newington residents, not the developers they'll be long gone. He said that he realizes that there is various support from several of the Council members and we need you all to be united in deliberations and he hopes you would entertain in researching how we can save this treasure.

Ms. Marilyn Miller, 2 Buck Street – said she also had attended the TPZ meetings and heard reports of State analysis and has witnessed a petition of greater than 20% of the people in the affected area that are against this zone change. She has heard that there is an endangered life on this property, she's heard wetlands need to be destroyed for easement into the property and has seen our dollars go to plastic grass and wood floors. She said she sees another financial institution being built on Main Street that only services 400 which is about 0.12% of our population. She has not heard a legitimate traffic study or a cost analysis to tax payers, nor any public official or elected who has applied for grants to buy this land. She has never heard from the Town Attorney as to our rights as a blasting of the water table insult changes that would happen to our property negatively and who will pay for these repairs. On a personal note, she said six days ago a very good friend of 30 years was just diagnosed with very aggressive cancer and having worked in hospice and would like to tell you what those patients have taught her what the importance is at the end of their lives and it's not money, how many buildings built, or how many cars you have but what's important is to keep what we have, we're 92% developed and we need this serenity and it's important whether we realize it now.

Ms. Valerie Leon, 78 Connecticut Avenue –read from an article in the Hartford Courant – the article said that the development there would really be an enhancement. This differs with our own Town's website, as a very rustic setting that has a blend of trees etc, on a mountain that might encounter wildlife i.e. deer, raccoons, possums etc. many beautiful birds make their homes on Cedar Mounts and all of this is from our own Website. Also mentioned was the return of the Raven which had not seen in the area for almost 200 years and there was photo taken showing three young Ravens and an adult taking flight on the rock ledge that is visible from Cedar Mountain. The website also talks about this being a great place to take man's best friend for a walk, which she does with her four dogs and even with all the housing and buildings you see, still you can see much green. She quoted from Edmund Burke to the Council..."all that is necessary for the triumph of evil is that good men do nothing." Do not allow evil to triumph, do not sit by and do nothing.

Michael J. Fox, 1901 Main Street - Chairman of the Environmental Quality Commission which is why he's here now. He said he wished he could say as Chairman that he had a resolution from his commission to present to you asking you to approve of setting aside some money for the appraisal so that we can find out how much that property is worth and take steps to purchase it. Without a quorum we can't do that because we have six members and always one member is missing. He said that the five members who attend the meetings are in favor of having the appraisal and keeping Cedar Mountain the way it is right now. He asked the Council for the rest of terms ending in December, to please see if we can get more members to serve. It's a worthwhile commission and since it's inception we has done worthwhile work and would like to be able to continue that work.

David Tatem, 29 Camp Avenue – said there are two points he would like to speak about today. One is that he too is a member of the Environmental Quality Commission and asked that the Council do what they can to encourage folks to consider this commission. Secondly is Cedar Mountain and hopes that the Mountain can be saved as it is. This development would benefit only Toll Brothers and no one else and he thinks the community has a right to determine it's development path. He asked that the Council let them know what they can do to help.

Tom Bowen, 22 Woods Way – as a former Councilor he said he always tried to find out what the residents wanted and used that as input to make a decision. This issue on Cedar Mountain is no different. He said tonight

he's is here as a resident and with a decent size email list and he sent out a simple question to most of the people on that list which read –“ No this is not a political pitch, as many of you know there is a movement to try and save Cedar Mountain. Since it is privately owned it would cost the tax payers money to save it. It could cost as much as \$500. per household either a one time shot or for several years, or we could defer municipal improvements for a couple of years. I'm trying to get feedback from a broad group of residents. If you would please respond either with a 'yes' a 'no' or 'maybe'. If you would like to comment that would be great also” Mr. Bowen said he got a very broad response and read the 'no' response. **This response read – “going into what I believe will be a very tough next couple of years for municipal finances both the State and Town of Newington I would find it irresponsible for the Town to spend millions of dollars to acquire this property. Unfortunately the majority of citizens of Newington are oblivious to the train wreck that lies ahead. I believe that State aid to cities and town would be significantly reduced over the next couple of years. If we acquire this land we will look back in a couple of years shake our heads and wish we had never done it as there will be much better uses for these funds. Not only that but I have been following the situation in the papers and the developer appears to be willing to donate a portion of these parcels back to the Town at no cost. This is a no brainer to me. Unfortunately I'm probably in the minority on this one. We seem to find new and creative ways to waste money in this town, a two million dollar parking lot, unsolicited, a million dollar turf field that's not even at the high school. Too many private interests are involved in misappropriation of funds in this Town. OK I'll shut up, I've said enough. This is the first chance I've had to spout off about Cedar Mountain issues.”** That is a very good representation of the 'no' vote. Mr. Bowen then read some portions of the 'yes' responses. **“..we are 100% in favor of Newington acquiring the land to preserve it as open space, we appreciate the two other recent Town open space purchase initiative. Yes, it is important to save our open space, we have to look beyond ourselves and do what is right for the future. Should this be developed we cannot undeveloped it. As an only parent in a household and currently unemployed I have to look beyond my own personal limitations financially. Maybe I don't buy a cup of coffee per day, \$500. per year and sacrifice that the future generations can enjoy our beautiful mountain. Hopefully others think this has merit. Having grown up in Cedar Mountain and between the wild life and hiking and the fact that the traffic is bad enough in this area, stopping the Toll Brothers should benefit everyone in Newington and the surrounding towns. And finally one near and dear to me, I think we should save Cedar Mountain and should turn it into the “Cedar Mountain Soccer Complex”.** Those are just four of the responses that he received on the 'yes' side. The total response was 86% said yes to save Cedar Mountain, 11% no to saving the Mountain and 3% maybe. He said that there are very few residents in this group that reside near Cedar Mountain, maybe 2, many seniors, many parents with children of all ages. He said if this is truly the will of the people it is pretty telling. Maybe we should find a way to make it happen. Where there's a will, there's a way. He said he would be more than willing to help find the money and figure out how to finance this purchase and finally if any Republican or Democrat would like to come on my TV show “About the Town” he would more than willing to have a discussion on this issue.

Kelly Mowchan, 5 Deepwood Drive – said she started two face book groups, Save Cedar Mountain one has close to 2400 members and the other close to 500 members, there is a great number in support of saving this mountain. She said we have to think about what have before it's gone and really act before it's too late. She said she has written letters to a number of State Senators and Representatives and they are on our side and willing to help. She said that as a Town and would like to purchase the land they are willing to help find funds any way possible and help us acquire this piece of land. She thanked the Council for being here and hope the Council can help save this before it's gone.

Vaille LaChance, 37 Goodale Drive – said that when this all started she did come before the Council and spoke in favor of saving Cedar Mountain, she did attend the TPZ meeting last week and they directed us to come to you. She did say at the TPZ meeting that going up Robbins Avenue she looked at the Town Houses which are just overpowering and doesn't want Cedar Mountain to look like that and though it's not easy but she hopes you, the Council, can find a way to save the Mountain.

Bernadette Conway, 177 Hartford Avenue – said that there are many reasons why we should try to save Cedar Mountain, all of them spoken about tonight, the open space, the wild life preservation and the terrible traffic this would cause. She'd like to stress the value of having a sanctuary like Cedar Mountain completely undeveloped and left untouched. She said we live in a town that is 92% developed with the percentage rising as we speak with several new developments in the process right now. She feels like we need to look at Cedar Mountain in the long term as to how it would look in 5, 10 or 20 years. Many residents decided to stay here when deciding to buy a home, it's because it's such a great town to live in and raise a family in. We feel like a small town and want to keep the important things that we loved growing up here the same and the Mountain is one of them. If the Town were able to acquire this land it would be a huge asset for the Town. She said she envisions children learning

about nature, junior science programs being incorporated into our school curriculum, a dog park, a natural Audubon society outpost the ideas are limitless.

Ms. Edith Hartleb, 134 Jeffrey Lane – said she lives on the other side of Town and appreciates seeing Cedar Mountain without houses popping up as they do on the right side of the Mountain. She said we have a beautiful forest. She said don't let them build and enjoy the beautiful gem we have. Traffic, animals, ravens, higher taxes, more policemen and all the negative facts as subjects to look at. She thanked the Council for their time and efforts.

Mady Kenney, 53 Crestview Drive – She said it's been mentioned about driving down Robbins and seeing the houses being put up there and it reminds her of driving into a San Francisco airport and she doesn't want tickety tack on the Mountain and the other thing is the TPZ, there's the Council, Economic Development and Conservation and she would love to see a Saturday morning round table discussion of representative of all these groups on how to creatively solve this problem, not allowing the development of Cedar Mountain

Rose Lyons, 46 Elton Drive – said she doesn't remember when a Town Council had to be moved into this Council Chambers. It's a tribute to the people that are here the Save the Mountain Committee and everyone who is trying to find a way to save this Mountain. She was at a Town Council meeting that had an agenda with a listing discussion re: open space and wetlands and much to her surprise the discussion in fact was a presentation given at the unorthodox invitation of former Mayor Wright to tell us what their intent was regarding the Mountain and to present us what they considered to be their gift to this Town. She doesn't consider it a gift, she doesn't know what strings come attached with it, they said it would be in perpetuity but is it in perpetuity the same way Stanley Park in New Britain was in perpetuity. Will be have our grandchildren coming before you in 20 years to fight a Costco going up on Cedar Mountain. She thanked everyone for considering this issue and bringing it to the table for discussion. She agrees with others that it shouldn't be just a discussion in front of the Council, the TPZ everyone should get together and figure how to save the Mountain. She for one would rather pay taxes to save the Mountain than pay taxes to pay for unnecessary services.

Brian Skibo, 63 Stoddard Avenue- said he's been coming to meetings for some time and hasn't seen one person who is really for this development, Newington or Wethersfield, and he is here to support saving the Mountain and talking with people who don't live in this Town and they have no clue what the Mountain looks like, they've driven by it but never been up there and walked around and he was explaining to them what might happen and they asked why would anyone want to do that....etc. He said listening to everyone's view and with a very strong group of people in Newington and Wethersfield who don't want this to happen and the support is phenomenal. He said that he too will match the \$500. made earlier. He said it's a small amount of money to pay to save something so beautiful and that might be destroyed.

Allen Paskewich, 100 Cambria Avenue – said that he's attended many meetings and he said he has a proposal to make through the Town Manager and the Council and he doesn't know if it's within the Charter or the policy of the Town to provide a moratorium on this land and deny the application at this point based on a moratorium. He would like this to be looked into if possible. He said a moratorium would be based on all these persons needs and keeping them in tact in where it stands including the policy of open space that we have in this Town and that's what he wants to propose.

Cathy Mowchan, 5 Deepwood Drive – said she was looking at books on Newington and looking at the Mountain and the way it use to be and looking at it now and it's really sad that we've let this much construction go on as we have. She asked to please do all the Council can and empower the people who can help to save this land, she doesn't believe we should just give up and let Toll Brothers take over our Town.

Gail Budryko, 21 Isabelle Terrace- said her concern is not just the Cedar Mountain property but the fact is we have a huge jigsaw puzzle of Newington, TPZ, the Town Council, the Development Commission, the Conversation Commission we have all these bodies and no one is orchestrating and looking at everything that's gong on. We have the Toll Brothers proposal, we have the Balf Quarry property, we have Victory Gardens, we have the busway, and in isolation she hears.....that the traffic won't be that bad from Victory Gardens and the traffic won't be bad from this and that and yes in isolation it looks ok but who is looking at the whole aggregate of what is going on in Newington. No one is looking at how our Town will look with 8% of our land left and how will all of these pieces fit together.

Mr. Mike Aparo, Wethersfield Crossing – said he is very impressed by the speakers tonight and one concern mentioned damaged foundations in almost every building in the Crossings which he attributed that to the blasting

that was occurring, and when he moved there he called and asked how long the blasting would be going on. He said that the blasting that was going on between the Old Cedar Crest property and the Humane Society, is going to be much closer to where he lives and who will be assessing the damages that are attributable to those. He said these are his concerns as well as losing a beautiful place and a great natural resource that is so close to where I live.

Mr. Bruce Winchell, 48 Tinsmith Crossing, Wethersfield – said he has become involved a few months ago and is concerned with the increased traffic, pollution, drainage and have been involved with getting in touch with Wethersfield's government they've represented their concerns and did have their Town Planner send a letter to the TPZ concerning the issue at hand for our town. He said he is amazed with the concerns with Newington people we had almost 300 people one night and it was an awesome sight and it's amazing the Town's people and the TPZ, Conservation Committee, and he said that this is really what America is all about. He asked that everyone get together and come up with some form of solution to this, and he said he will keep pressure on the Wethersfield government to see if we can contribute to the purchase and saving Cedar Mountain.

Councilor Banach entered into the record an email which the Council had received regarding Cedar Mountain. Without reading the entire email, it regards the epidemic proportions of asthma in the US and cites the State of Connecticut as the worst State in the Union for poor air quality. He said that we should be giving consideration to this other avenue when looking at Cedar Mountain in terms of the trees and amount of oxygen and rather than add to a growing problem we could maybe try to help improve the air quality in our area.

Councilor Banach made a motion to amend the agenda as to meet in Executive Session to discuss Item C, Cedar Mountain property appraisal. Seconded by Councilor McBride. Vote 8 – 0 Mayor Lenares absent.

Councilor Klett said that this amendment should be Item D because she will be adding something in Item C for a short discussion and for the purpose of the members of the public and explain that at this point it's clear that this becomes moving fast and furious towards a real estate issue. There are reasons that Council can go into Executive Session, one is legal matters or real estate and she is a huge supporter in including the public in discussion at this point that what is possibly a real estate issue and therefore it behooves the Council to discuss this matter in Executive Session. If any action were to be taken place we would come out of Executive Session and vote will be taken in public. She said that in Item C she's asking for a short discussion on the DEP waiving of the public hearing requirements for waterway and there has been a request by the Department of Public Transportation to waive the requirements for DEP hearings pertaining to waterway as they are related to the Bus way and she would like a short discussion for the sake of the public for that.

She moved that this be Item C and therefore take up Cedar Mountain as Item D. Seconded by Councilor Banach. Vote 8 – 0 Mayor Lenares absent.

Councilor Casasanta asked if the Item Councilor Klett is talking about will be in Executive Session. Councilor Klett said no that it would be added as an Agenda item.

Councilor Casasanta asked why we're not having the Executive Session at the end of the meeting and Councilor Klett said that it was for the benefit of the public. Councilor Cohen said that if we had it at the end of the meeting and come out of Executive Session and have something to say this is the place and not have the public wait until the whole meeting is over.

V. CONSIDERATION OF OLD BUSINESS

- A. Blight Ordinance Subcommittee
 - 1. Create & charge the committee
 - 2. Appoint members to the Committee

RESOLVED:

AND WHEREAS the present Blight Ordinance does not adequately address issues of blight in the community;

AND WHEREAS a new draft Blight Ordinance has been proposed by the Town Manager to address additional blight concerns and allow for proper enforcement;

AND WHEREAS the proposed ordinance should be reviewed in depth by the Town Council;

AND WHEREAS the proposed ordinance review should be completed by October 1, 2011;

NOW THEREFORE BE IT RESOLVED that the Town Council establishes a blight subcommittee consisting of three members:

Maureen Klett, 104 Harold Drive – Democrat

Scott McBride, 211 Beacon Street – Democrat
David Nagel, 1135 Willard Avenue - Republican

MOTION BY: Councilor Banach
SECONDED BY: Councilor Klett
VOTE: 8 - 0 Mayor Lenares absent

Councilor Cohen asked what the October 1 deadline applies to. Mr. Salomone said that that date applies to the subcommittee. She said that she would like to include in the Resolution that the October 1st deadline applies to the subcommittee. Councilor Klett asked are we forming a subcommittee of Council Members and then in addition to this we're going to form a committee with a specific makeup. She said she recalls the discussion previously the Town Manager had indicated there would be certain members, the Police Chief being one and the Town Attorney other members would be part of the committee. She asked why are forming a committee of just three members instead of forming the actual committee which will include specific individuals identified previously. Mr. Salomone said that there have been no formally appointed anyone so that the Resolution tonight sets the charge of the committee and sets a target date that can be amended and the three Council people that would be charged to head the committee. As far as staff members he doesn't believe would have input on an 'as needed' basis to the committee and the committee can request who of those be included at each meeting or when they're necessary but it's not necessary to designate all the members at this point. Councilor Klett said that we're not including any members of the public. Mr. Salomone said he doesn't recall discussing that we would have any committee members from the public, we did discuss staff members to be included. He said that the reason for asking for a subcommittee is that it's important enough that it has enough impact that the subcommittee will be able to make the recommendation back to the Council without having the Council having to do the leg work. The three members of the Council to be appointed to this Committee –
Maureen Klett, 104 Harold Drive – Democrat
Scott McBride, 211 Beacon Street – Democrat
David Nagel, 1135 Willard Avenue - Republican

VI. CONSIDERATION OF NEW BUSINESS

A. Cancellation of Council meeting – August

Councilor Nasinnyk said that in the past we had cancelled one meeting in August and her feeling is that it's a little too early right now in June to talk about canceling an August meeting. She said that we can cancel later on in July and decide if it's a light agenda. Councilor Bottalico said he will not be available for the second meeting. Councilor Klett said that given the situation we're in right now with Cedar Mountain she is not interested in canceling any meetings because we don't know the timing of what will happen and it's premature to talk about canceling a meeting in August. Councilor Cohen agreed with Councilor Klett, she has never known that in June we have ever cancelled in August and at this point she would not want to cancel any meetings because not matter how light our agenda may appear this is the forum that the public can come to and if we're not meeting the public does have that opportunity and she is not in favor of canceling any meetings. Councilor McBride also agreed that Town business turns on a dime and is not opposed to canceling a meeting in August but is very uncomfortable with canceling it in June. If July arrives and we have a better feel for what lies ahead of us we can make an educated decision to cancel a meeting but right now he would not be in favor of this. Resolution was tabled.

B. School Code Compliance Bid Approval

Steve Woods, Chairman of the Board of Education – said that this is the second phase of the OCR work at the High School and he happy that the bids came in right on budget. It leaves us with about a 10.4% contingency also and the work will be done by two different firms. The exterior work by Connecticut Carpentry and the interior work by Millennium Builders, both companies having done work for the Town before. He said he's happy to be here tonight to say that not only that but we're also on budget, it's a very favorable bidding environment out there. Councilor Nasinnyk asked Mr. Woods if he is looking for a vote for this to waive the Council vote on this tonight. Mr. Woods said yes they are, because it needs to be done through the summer months so we need to get the start to the companies to get things moving especially for the interior work.

Councilor Nasinnyk moved to waive the Rules.
Seconded by Councilor Banach
Vote 8 – 0 Mayor Lenares absent

RESOLVED:

That the Newington Town Council, pursuant to Chapter 8, Article X, Project Building Committees, of the Newington Code of Ordinances; and following authorization of the State of Connecticut Department of Education to proceed to Bid for Project number TMP-094-FASB, Phase 1 of 2, in their correspondence of May 16, 2011; and upon the recommendation of the School Code Compliance Project Building Committee; hereby accepts Base Bid A for Bid No. 6, 2010-11 of Connecticut Carpentry Corporation of Rocky Hill, Connecticut, in the amount of \$638,000, for Newington High School Code Compliance Alteration Site Work; and also hereby accepts Base Bid B for Bid No. 6, 2010-11 of Millennium Builders of Rocky Hill, Connecticut, in the amount of \$336,975, for Newington High School Code Compliance Alteration Building Work. Further, the Newington Town Council authorizes the Town Manager, John L. Salomone, to execute appropriate contracts with both Connecticut Carpentry Corporation and Millennium Builders, both of Rocky Hill, Connecticut to accomplish the construction in accordance with the bid specifications.

**MOTION BY: Councilor Nasinnyk
SECONDED BY: Councilor Nagel
VOTE: 8 – 0 Mayor Lenares absent**

Councilor Cohen said that this work will all be done during the summer when school is out except for the bleachers which will not be ready on time and they will be careful to work that around the sport schedule so it doesn't interfere with any home games.

C. Cedar Mountain Property Appraisal

Councilor Klett asked to put this on the agenda for the express reason of the public being aware and this involves the busway and the Trout Brook waterway in between Newington and West Hartford. Back on May 31st the DOT applied to the Department of Environmental Protection for a waiver for a public hearing. The process is set up in such that there is a 30 day time frame so by June 29th it would require 50 signatures for people are oppose to waiving the public hearing requirement. The Central CT Chamber of Commerce is working to make sure that all the i's are dotted and t's are crossed and that it wouldn't be overturned for any legal reason are in fact working to try to get something on record to notify them that they are opposed to allowing this process to take place without holding a public hearing on the waterway. On the website the Environmental Protection website it does say that all interested parties are invited to comment on the tentative determination concerning the application. She said she doesn't know that our inland wetlands committee/conservation are aware that there has been a request to waive the public hearing and she thinks it would behoove the Town and the residents near where this will be impacted that we in fact wouldn't have expressed some objection to the waiving to a public hearing. She wants to inform the public and also to make sure that we through our Town authorities are in fact filing an objection if the Council feels that this is the appropriate action. She is not in favor of waiving a public hearing for DOT and that we make sure any communication meets the June 29th deadline. She asked if we could make sure that we do talk with Mr. Meehan and make sure that we communicated to our inland/wetland authorities if they are not aware that this request has gone in and we can perhaps weigh in on the issue. Mr. Salomone said yes that it would be the Town Engineer, Mr. Ferraro and Mr. Salomone said he would speak with Mr. Ferraro to see if he is aware of this and has made the inland/wetland commission aware and take the appropriate action. Councilor Klett said that she believes that there will be a petition signed by the minimum or more required number of people to object officially to the waiving of this public hearing process. Councilor Casasanta said she appreciated the individual Councilors want to approach this issue, and thinks the Council should take a position on that as a whole body.

D. Executive Session RE: Cedar Mountain Property Appraisal

Councilor Banach made a motion to go into to Executive Session at 8:40 p.m.. Motion seconded by Councilor Nasinnyk. Vote 8 – 0 Mayor Lenares absent. Councilor Banach made a motion to adjourn from Executive Session at 10:00 p.m. Motion seconded by Councilor Klett. Motion passed 8-0.
Seconded by Councilor Nasinnyk. Vote 8 – 0 Mayor Lenares absent

Councilor Banach moved to waive the rules. Seconded by Councilor Klett. Vote 8 – 0 Mayor Lenares absent

Councilor Casasanta said that she opposes this motion, because although she is not opposed to the appraisal and the important role the TPZ has to play now she believes any movement at this moment would circumvent what their process is about and she's not willing to take that chance at this time and will vote no on this motion. Councilor Klett said that she doesn't share the opinions of Councilor Casasanta....(malfunction of tape)

RESOLVED:

The Town Council authorizes the Town Manager to seek an appraisal of the Balf Property as described in the Assessors Map Block Lot Number 11\320\000 in an amount not to exceed \$15,000. Said appropriations will be from the Town Land Acquisition Fund.

MOTION BY: Councilor Banach

SECONDED BY: Councilor Nasinnyk

VOTE: 7 – 1 Councilor Casasanta voted no Mayor Lenares absent

VII. RESIGNATIONS/APPOINTMENTS

RESOLVED:

That the Newington Town Council hereby makes the following appointments:

5. Central Connecticut Health District Board of Health

Representative	Address	Party	Term	Replaces
Nancy Bafundo	93 Littlebrook Drive	R	IMMED – 6/30/13	Amanda Hurwitz (Term Exp. 6-30-10)
			IMMED – 6/30/12	Vacant

6. Clem Lemire Artificial Turf Project Building Committee

Representative	Address	Party	Term	Replaces
Paul Vessella	31 Northwood Drive	R	IMMED – 1/1/2050	J. Bottalico (NTC member 4-11)

MOTION BY: Councilor Casasanta

SECONDED BY: Councilor Nagel

VOTE: 8 – 0 Mayor Lenares absent

VIII MINUTES OF PREVIUS MEETINGS

A. May 24, 2011

Councilor Cohen Page 3, 3rd paragraph, should read owning the company.....

Also Councilor Cohen 2nd from bottom paragraphPage 4, Resignations, the second line should read notified they are still members. Page 5, 3rd line, under Item VII Remarks by Councilors, should read that May 25th is the TPZ meeting.

Councilor Nasinnyk moved to accept the minutes with corrections made by Councilor Cohen.

Seconded by Councilor Casasanta. Vote 7 – 0 Councilor Banach abstained – Mayor Lenares absent

IX WRITTEN/ORAL COMMUNICATIONS FROM THE TOWN MANAGER, OTHE TOWN AGENCIES AND OFFICIALS, OTHER GOVERNMENTAL AGENCIES AND OFFICIALS AND THE PUBLIC

A. Town Manager Reports - none

X COUNCIL LIAISON/COMMITTEE REPORTS

Councilor Nagel said he attended the NCTV meeting and they are celebrating their 25th anniversary on the 25th of June, open house, there will be an official ceremony at 2:30 pm but the open house runs from 12noon to 5 pm.

Councilor Nasinnyk said she attended the Library Board meeting last night and the 5K road race was the largest attendance of the with 308 registered winners and became a very successful race. Also she said there's work going on in front of the Library where there will be one way to eliminate the problems in turning around and will allow cars to go out through the parking lot.

Councilor Cohen said that the Youth Adult Council is already planning for next year with the different programs regarding and dealing with stress, violence, safety programs etc.

XI PUBLIC PARTICIPATION - NONE

XII REMARKS BY COUNCILORS

Councilor Klett congratulated the Newington High Indians baseball team for their Championship and being ranked number 1 in the State by the Courant. She also asked that a Resolution be prepared and invite them to come in to receive that Resolution, and she congratulated Coach Eric Frank for whom her own children had played. The players and parents know how much time and effort it takes.

Councilor Cohen reminded everyone that on June 21st the next Conservation Committee will be discussing Cedar Mountain and on the 22nd will be the next TPZ meeting.

Councilor Nasinnyk thanked the public who came out to speak tonight, with comments well thought out and the audience was very respectful and she apologized for the public having to wait for us to come back into session but it was important that we discuss some sensitive issues in Executive Session. She said getting back to what Councilor Klett said the Boys Volley Ball actually had their final match on Friday for the Championship and unfortunately they didn't win that but being number 2 is still quite an accomplishment.

Councilor Banach said he also wanted to thank the people who came out tonight, who emailed and those who called and participated. Their participation does make a difference, sometimes it makes all the difference. He also congratulated the boys baseball team and their Coach on their Championship season and looks forward to seeing them here at the Council.

Councilor Bottalico said that in the packet there is a tax collection process and he would like to get this on the agenda at a Council meeting to discuss it. He asked that everyone read it, it's informal and he believes there will be a lot of questions.

Councilor Nagel thanked everyone for coming out tonight and thanks to all the teams that have previously been mentioned.

Councilor McBride thanked everyone for coming out for this meeting, he thought everyone was very respectful and well educated on the matter, and going into Executive Session sometimes it's necessary to step out of the light when doing the public's business. He assured everyone that everyone around the Council table is interested in doing the Town's work regardless of opinions and we care too deeply for this Town to jeopardize the process but sometimes things have to be done that way and he is very proud of what was accomplished. He said it was a pleasure running the meeting, and he knew the Mayor wanted to be here and frankly Councilor McBride wished also that the Mayor was here. He said as much fun as it was, it was a complicated meeting.

XIII ADJOURNMENT

Councilor Bottalico moved to adjourn at 10:20 pm

Seconded by Council Nagel

Vote 8 – 0 Mayor Lenares absent

Respectfully Submitted

Mary Richard

Council Clerk